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### REMARKS/ARGUMENTS

The Official Action mailed August 31, 2004 has been carefully considered. Independent claims 1, 8, 14 and 20 have been amended to overcome the Examiner's formal objections thereto, and to further define the invention over the art. Claims 26-29 have been added per this amendment to further scope the invention. The specification has been amended to overcome the Examiner's formal objections set forth at page 2, cipher 3, and claim 3 has been amended to overcome the Examiner's formal objection set forth at cipher 4. No new matter has been added as a result of the changes made thereto. Reconsideration and allowance of the subject application, as amended, are respectfully requested.

The Examiner has objected to the disclosure because of the missing Brief Summary of the Invention. However, as the Examiner can appreciate, 37 CFR 1.73, which outlines the particulars of a summary of the invention, is not a requirement in patent applications. Indeed, the language of 37 CFR 1.73 alludes to the permissive nature of the summary of the invention, to wit, "a brief summary of the invention...should precede the detailed description. Such summary should, when set forth, be commensurate with the invention as claimed ... ." (37 CFR 1.73, emphasis added) MPEP 608.01(e) describes that the purpose of the summary of the invention is to apprise the public and more especially those interested in the particular art to which this invention relates. It is respectfully submitted that the entire detailed description and abstract of the present invention fully satisfies this stated goal of the summary of the invention, and thus, it is respectfully submitted that no separate summary of the invention is required. Accordingly, it is respectfully requested that the Examiner withdraw this objection to the specification since a

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summary of the invention is not a requirement of a patent application, and the stated goals of the summary of the invention are fully satisfied by the present application.

Turning to the rejections on the art, claims 1-2, 8-9, 14-15 and 20-21 stand rejected under 35 USC § 12(e) as being anticipated by Datta et al. (U.S. Patent No. 6,393,572). Applicant respectfully submits that this rejection is in error.

Datta et al. discloses a clock cessation anticipator circuit that anticipates the cessation of a clock signal from a master device and notifies a slave device to use the remaining clock signaling to power down the slave device. The clock cessation anticipator circuit eliminates the need for an analog clock cessation detector.

In contrast to Datta et al., Applicant's invention of independent claim 1 sets forth a system that includes a processing system comprising memory and a communications adapter. The processing system includes logic to receive a sleep message from a power management system and logic to place the communication adapter in a sleep state in response to the sleep message. The invention of independent claim 1 further requires that the "communication adapter is adapted to save data local to said communication adapter in said memory prior to transitioning to said sleep state." (Claim 1, as amended) Applicant's invention of independent claims 8, 14 and 20 have been similarly amended.

Nowhere does Datta et al. disclose or suggest a communication adapter that is adapted to save data local to the communication adapter in system memory prior to transitioning to a sleep state. As the Examiner can appreciate, this claimed aspect of the present invention may permit a communication device to awaken from a sleep state and resume the functionality that was occurring prior to entering the sleep state. The claimed invention may also permit a

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communication adapter to operate more efficiently, for example, by saving data in system memory before entering a sleep state. Since these features are nowhere disclosed or suggested in Datta et al., it is respectfully submitted that Datta et al. could not anticipate Applicant's claimed invention. Thus, is it respectfully submitted that the Examiner's rejection of claims 1-2, 8-9, 14-15 and 20-21 under 35 USC § 102(e) as being anticipated by Datta et al. is in error, and should be withdrawn.

The remaining dependent claims stand rejected under 35 USC § 103 as being unpatentable over Datta et al. and further in view of various combinations of Gregorian et al. (U.S. Patent No. 6,452,425), or Huan et al. (U.S. Patent No. 6,407,595) or Greszczuk et al. (U.S. Patent No. 6,445,730), or Foster (U.S. Patent No. 6,026,494). Applicant respectfully submits that these rejections are also in error. Suffice to note that none of Gregorian et al., Huan et al., Greszczuk et al., or Forster provide the missing teachings to Datta et al. to achieve or render obvious Applicant's invention of independent claims 1, 8, 14 or 20. Indeed, none of the secondary references relied upon by the Examiner disclose or suggest a communication adapter that is adapted to save data local to said communication adapter in system memory prior to transitioning to a sleep state. Since the remaining claims each depend directly or indirectly from Applicant's invention of independent claims 1, 8, 14 or 20, as the case may be, these remaining dependent claims must be read as incorporated the limitations of independent claims 1, 8, 14 or 20. (35 USC § 112, 4<sup>th</sup> paragraph)

Thus, since none of these combinations of references disclose or suggest Applicant's invention as set forth in the independent claims, none of these combinations of references can achieve or render obvious Applicant's claimed invention. Thus, it is respectfully submitted that

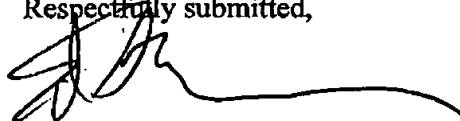
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the Examiner's rejection of the remaining dependent claims under 35 USC § 103 as being unpatentable over Datta et al. in view of Gregorian et al., Huan et al., Greszczuk et al., or Forster is in error, and should be withdrawn.

Having dealt with all of the objections raised by the Examiner, it is respectfully submitted that the present application, as amended, is in condition for allowance. Thus, early allowance is earnestly solicited.

In the event the Examiner deems personal contact desirable in disposition of this application, the Examiner is respectfully requested to call the undersigned attorney at (603) 668-6560. In the event any additional fees are payable, please charge them to our Deposit Account No. 50-2121.

Respectfully submitted,



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